

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**UNITED STATES OF AMERICA**

**V.**

**JOHN RAYNE RIVELLO**

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§

**NO. 3-17MJ192-BK**

**AGREED MOTION TO MODIFY CONDITIONS OF RELEASE**

John Rivello moves to modify his conditions of release as follows. We appreciate the Court's consideration of this motion if possible by September 26 to allow Mr. Rivello to assist his mother who is scheduled then for surgery.

On March 10, 2017, the U.S. Attorney charged John Rivello by complaint with sending a tweet that Kurt Eichenwald claims caused him an epileptic seizure, in violation of 18 U.S.C. § 2261. Mr. Rivello appeared to face these charges on March 20 and was released on bond conditions that currently include electronic monitoring with curfew. Mr. Rivello has faithfully complied with these conditions while working in the commercial crabbing business.

He now asks, with the agreement of the Pretrial Officer and the United States, to remove electronic monitoring and to restrict travel to the District of Maryland except to attend court or visit counsel in Texas or, if accepted, to attend in-patient treatment through the Veterans Administration. One reason for this request is that Mr. Rivello's mother is scheduled to undergo surgeries beginning September 26 for eye disease and then for Crohn's disease. Her doctors are in Delaware and Baltimore three hours away from home. She will need help from Mr. Rivello with driving and other chores.

In addition, Mr. Rivello is not a flight risk, nor has he contacted Mr. Eichenwald since December 2016, nor is he a danger to do so. This is Mr. Rivello's first time to be in trouble with

the law, after a distinguished and difficult military service assigned to rescuing remains of servicemembers killed in battle, for which he received the “Navy & Marine Corps. Achievement Medal” and developed PTSD. The Pretrial Officer reports that he is confident he can supervise Mr. Rivello without any electronic monitoring, and the United States agrees with this request.

Respectfully submitted,

/s/ David Gerger  
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ATTORNEYS FOR DEFENDANT  
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**CERTIFICATE OF CONFERENCE AND SERVICE**

A copy of this motion was delivered to the Pretrial Officer John Stagg and the Assistant United States Attorney Candy Heath by email the day of filing. They both agree with this motion.

/s/ David Gerger  
David Gerger